

**Applicant(s):** Errico et al.  
**Serial No.:** 10/663,492  
**Filed:** 9/16/2003  
**For:** Intervertebral Spacer Device  
Having Engagement Hole Pairs  
for Manipulation Using a  
Surgical Tool

**Examiner:** Not assigned  
**Art Unit:** 3738  
**Docket No.:** F-292  
**Dated:** 4/8/2004

## REMARKS

### Replacement Drawings

The Notice to File Corrected Application Papers indicated that replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 were required. In response, the Applicant has submitted herewith such replacement drawings. In addition, the Applicant has amended the Specification as indicated above in accordance with the labeling in the replacement drawings.

### Petition and Resupplied Specification Pages

The Notice to File Corrected Application Papers indicated that pages 64-66 of the Specification appear to have been omitted from the application as filed. The Applicant contends that pages 64-66 were in fact deposited in the USPTO with the application papers. Accordingly, the Applicant has submitted herewith (1) a copy of the Notice to File Corrected Application Papers, (2) another copy of pages 64-66 of the Specification as filed, and (3) evidence of such deposit in the form of a photocopy of the Return Receipt Postcard returned to the Applicant by the Office indicating by the Office's date stamp that all 74 pages of the specification and claims were received by the Office on 9/16/2003. The Applicant therefore hereby petitions to have pages 64-66 included as part of the application papers as filed on 9/16/2003, and hereby authorizes payment of the petition fee of \$130.00, and any other fee required to effect this petition and acceptance of this response, from Deposit Account 50-2615 (SpineCore).

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Conclusion

Should the Examiner have any questions or comments concerning this response or any other matters pertaining to this application, the Applicant respectfully requests that the undersigned be called so that the same may be addressed in the most rapid and direct manner.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Bortree', with a stylized flourish extending to the right.

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